IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4547 OF 2006

Naveen Devidas Rajpal .. Petitioner.
Vs.
Musaraf Jaham Jaid
Ali Shaikh & Others .. Respondents.

Mr.Amol P.Mhatre for the petitioner.

CORAM : D.B.BHOSALE, J.

DATED : 21ST AUGUST, 2006

P.C.:

. Heard learned counsel for the petitioner.

2. This petition is directed against the order dated 20.4.2006 by which the application of the respondent-plaintiff under Order VI Rule 17 seeking permission to delete certain reliefs has been allowed. According to the learned counsel for the petitioner, the amendment sought by the respondent-plaintiff changes the nature of suit and, therefore, ought not to have been allowed by the trial Court. I perused the order and other documents placed on record. In my opinion, no prejudice whatsoever will be caused to the petitioner by the order impugned in the present writ petition merely because, certain reliefs are allowed to be deleted. Moreover, the impugned order being an

interlocutory in character, it would be open for the petitioner to challenge the same, in further proceedings if the suit is decided against the petitioner. In the circumstances I see no reason to exercise the writ jurisdiction under Article 227 of the Constitution of India to interfere with such order. The writ petition is dismissed.

(D.B.Bhosale, J.)